

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P17429WO	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/052700	International filing date (<i>day/month/year</i>) 28.10.2004	Priority date (<i>day/month/year</i>) 14.11.2003	
International Patent Classification (IPC) or national classification and IPC H04Q7/22, H04Q7/38			
Applicant SIEMENS AKTIENGESELLSCHAFT			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☒ (*sent to the applicant and to the International Bureau*) a total of 6 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (*sent to the International Bureau only*) a total of _____ (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/052700

Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the elements of the international application, this report is based on <i>(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)</i>:</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1 , 2 , 4-16</u> as originally filed/furnished</p> <p>pages* <u>3, 3a</u> received by this Authority on <u>26.08.2005 with letter of 24.08.2005</u></p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-14</u> received by this Authority on <u>20.12.2005 with letter of 19.12.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets _____ as originally filed/furnished</p> <p>sheets* <u>1/2, 2/2</u> received by this Authority on <u>12.11.2004 with letter of 12.11.2004</u></p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p>
3.	<p><input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>
4.	<p><input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY		International application No. PCT/EP2004/052700	
Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<u>Cited documents</u>			
1. This <u>International Preliminary Report on Patentability</u> makes reference to the following documents, D1-D3 , which were cited in the <u>International Search Report</u> :			
D1: XP-002275698 "Definitions and Characteristics of Multicast Channels" LG Information & Communications, Ltd. Korea TSG-RAN Working Group 2 (Radio Layer 2 and Radio Layer 3) Stockholm, 8-11 March 1999 pages 1-11			
D2: XP-002275700 "Considerations on MBMS Notification" Siemens 3GPP RAN2 & RAN3 Joint MBMS Meeting Wokingham, Berkshire, UK, 15-16 January 2003 pages 1-3			
D3: XP-002317867 "MBMS Paging/Notification considerations" Ericsson 3GPP TSG-RAN2/3 Joint Adhoc on MBMS Paris, 14-15 May 2003			

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**pages 1-6**

2. This report also makes reference to **D4**, which was introduced by the International Preliminary Searching Authority (PCT Article 33(6) PCT and PCT Guidelines, Part V, Chapter 17, 17.66):

**D4: "MAC Architecture for MBMS" Nortel
Networks 3GPP TSG-RAN 2 Meeting #33
Sophia Antipolis, France, 12-15
November 2002 pages 1-2**

- A. Novelty and inventive step, PCT Article 33(2) and (3):

1. The present international application relates to a "method for transmitting data in a mobile communication system" according to the preamble of independent **claim 1**, and to a corresponding "base station" and "subscriber station" according to independent **claims 9 and 13**. Furthermore, independent **claim 14** claims a corresponding "mobile communication system".

The international application relates to MBMS service (Multimedia Broadcast/Multicast Service), in which subscribers who are registered for this MBMS service have to be notified before MBMS useful information is transmitted.

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

2. The prior art provides, for the purpose of notification, either for unused bits of existing DRX cycles of the UTRAN paging indicator channel (PICH) provided for "normal" calls to be used, or for additional DRX cycles specific to the MBMS service to be introduced on the PICH. Both methods have disadvantages.

It is also possible to provide for notifications to be transmitted directly on an MBMS control channel rather than on a paging indicator channel (PICH).

The cited documents **D1-D4** contain this prior art.

3. In contrast to the prior art, **according to the invention**, notifications to the subscriber stations are to be implemented with paging indicators using a paging indicator channel dedicated to MBMS services. The paging indicators comprise information relating to a service control channel.

4. This special design cannot be found in or derived from documents **D1-D4**. **According to the invention**, the notifications are transmitted by means of a method involving two channels, namely by paging indicators on a paging indicator channel dedicated to MBMS

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p><u>services</u>, which paging indicators, in turn, refer to an MBMS service control channel. The structure of this procedure corresponds to the PICH implementation according to UTRAN for "normal" calls.</p>
5.	Since none of the available prior art documents cited in <u>the international search report</u> discloses or renders obvious the features of claims 1, 9, 13 and 14 , either alone or in combination, these claims 1, 9, 13 and 14 meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step .
6.	Dependent claims 2-8 and 10-12 are all directly or indirectly dependent on claim 1 or claim 9 , respectively, and therefore they likewise meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step .
B.	<u>Certain defects in the international application:</u>
1.	Contrary to the requirements of PCT Rule 5.1(a)(iii), the description has not been brought into line with the present claims.